

UNITED STATES DISTRICT COURT

for the

____EASTERN____ District of ▼

____BEAUMONT____ Division

DAVID R PETE

Case No.

1:22 CV 30

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

WALMART
CORPORATION /PRESIDENT/CEO
DOUG MCMILLON

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one)

☐

Yes

☒

No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

DAVID R PETE

Street Address

6355 CHINN LN #2105

City and County

BEAUMONT

State and Zip Code

TEXAS 77708

Telephone Number

409980229

E-mail Address

DPETEDAVIDPETE@YAHOO.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Defendant No. 1

| | |
|----------------------------------|------------------------------|
| Name | DOUG MCMILLON |
| Job or Title <i>(if known)</i> | PRESIDENT /CEO /WALMART CORP |
| Street Address | 702 SW 8TH |
| City and County | BENTONVILLE |
| State and Zip Code | AR 72712 |
| Telephone Number | 14792734000 |
| E-mail Address <i>(if known)</i> | WALMART.ORG |

Defendant No. 2

| | |
|----------------------------------|-------------------------------|
| Name | KATHRYN MCLAY |
| Job or Title <i>(if known)</i> | PRESIDENT AND CEO /SAM"S CLUB |
| Street Address | 702 SW 8TH |
| City and County | BENTONVILLE |
| State and Zip Code | AR 72712 |
| Telephone Number | 14792734000 |
| E-mail Address <i>(if known)</i> | WALMART.ORG |

Defendant No. 3

| | |
|----------------------------------|--|
| Name | DONNA MORRIS |
| Job or Title <i>(if known)</i> | EXECUTIVE VICE PRESIDENT,CHIEF PEOPLE OFFICER,WALM |
| Street Address | 702 SW 8TH |
| City and County | BENTONVILLE |
| State and Zip Code | AR 72712 |
| Telephone Number | 14792734000 |
| E-mail Address <i>(if known)</i> | WALMART.ORG |

Defendant No. 4

| | |
|----------------------------------|--|
| Name | |
| Job or Title <i>(if known)</i> | |
| Street Address | |
| City and County | |
| State and Zip Code | |
| Telephone Number | |
| E-mail Address <i>(if known)</i> | |

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

THE BASIC OF MY JURDICTION FEDERAL QUESTION :FIRST AMENDENT RIGHT /WHICH AFFORD ME THE RIGHT(OR ABRIDING THE FREEDOM OF SPEECH, FREDOM OF THE PRESS ,14 AMENDENT,WHICH GUARANTEE ME THE PROTECTION AGAINST BEING DEPRIVED OF LIFE LIBERTY OR PROPERTY.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* DAVID R PETE, is a citizen of the State of *(name)* TEXAS.

b. If the plaintiff is a corporation

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)*, and has its principal place of business in the State of *(name)*.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)*, is a citizen of the State of *(name)*. Or is a citizen of *(foreign nation)*.

b. If the defendant is a corporation

The defendant, (name) DOUG MCMILLON, is incorporated under the laws of the State of (name) WALMART.INC, and has its principal place of business in the State of (name) ARKANSA.
 Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):
 N/A

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

ON MAY 2,2020 AT APPROXIMATELY 1:14 PM I DAVID R PETE AT 6355 CHINN LN #2105 BEAUMONT TX 77708 .ENTER THE WALMART STORE LOCATED AT 4145 DOWLEN ROAD IN BEAUMONT ,TX 77707 ON 2,2020 AT 1;14 PM ONCE I ARRIVED THERE I NOTICE A LINE OUTSIDE THE DOOR ,AS IT CAME TIME TO ENTER I ASK A WALMART ASSOCIATE IF THERE WAS A STORE MGR AVAILABLE ,HE SAID YES ,I THEN ENTER STORE AND HEADED TO (CUSTOMER SERVICE)A CONVERSATION TOOK PLACE ABOUT LINE OUTSIDE DOOR AND IMMEDIATELY TURN INTO A DEBATE THE ASSOCIATE MANGER (BRYANT/BLACK MALE SAID I NEEDED TO LEAVE STORE AND ASK HIM WHY HE RESPONDED TO ME :LEAVE THE STORE NOW 'I THEN TURN AND LEFT TO HEAD TO ELECTRONIC AND IT WAS THERE I WAS

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

THE DAMAGES I DID AND HAVE SUFFER ARE EMOTIONAL AND THE FEAR OF POSSIBLE PHYSICAL ISSUE .BECAUSE OF THIS INCIDENT I CANT AND WILL NOT STEP BACK INTO ANY WALMART OR SAMS CLUB IN THE UNITED STATE DUE TO THE FACT I DONT FEEL SAFE ,THEREFORE I WILL ASK THIS COURT TO TO AWARD ME DAMAGES IN THE AMOUNT OF \$500,000,000 IN PUNITIVE DAMAGES AND \$500,000,000 IN EXEMPLARY DAMAGES. DUE TO RISE IN KILLING OF BLACK MEN AND WOMEN AND GIVEN THE FACT I COULD HAVE BEEN ONE OF THOSE STASTIC OF ANOTHER BLACK MAN KILLED ,I BELIEVE AND FEEL IT IS MORE THEN REASONABLE THAT THESE DAMAGES SHOULD BE AWARED TO

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/20/2022

Signature of Plaintiff DAVID R PETE

Printed Name of Plaintiff DAVID R PETE

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

Fw: Walmart Ethics Case Update WMT200603720

From: david pete (dpetedavidpete@yahoo.com)

To: dpetedavidpete@yahoo.com

Date: Tuesday, December 15, 2020, 02:01 PM CST

----- Forwarded Message -----

From: Walmart Service Portal <walmartglobal@service-now.com>

To: "dpetedavidpete@yahoo.com" <dpetedavidpete@yahoo.com>

Sent: Wednesday, June 10, 2020, 02:30:33 PM CDT

Subject: Walmart Ethics Case Update WMT200603720

david pete,

Thank you for contacting Walmart Ethics. We are reviewing the concern you reported. After our initial review, we will update you on how we will handle your concern. We may need to request more information from you, refer you to other associates who are better able to answer your concern, or review your concern further for potential misconduct. If you need to add information, please reference WMT200603720 when you contact us.

Walmart does not tolerate retaliation against someone for reporting concerns. If you believe that you experienced retaliation for reporting your ethics concern, please tell us.

Thank you again for speaking up.

** Please do NOT reply to this email address **

Ref:MSG244210557

Fw: Referred Concerns - WMT200701618

From: david pete (dpetedavidpete@yahoo.com)

To: dpetedavidpete@yahoo.com

Date: Tuesday, December 15, 2020, 02:02 PM CST

----- Forwarded Message -----

From: david pete <dpetedavidpete@yahoo.com>

To: Walmart Service Portal <walmartglobal@service-now.com>

Sent: Thursday, July 23, 2020, 12:12:46 PM CDT

Subject: Re: Referred Concerns - WMT200701618

I have reach out to Mr Olher back on July 2,2020 and he stated to me he didn't have the power to do anything and refered me back to Corp office, now I am questing rather or not Walmart really is taking this serious because I am I still have flash back of that day on May 2,2020 in Beaumont store that left me scared to go into any Walmart store

On Friday, July 10, 2020, 04:22:16 PM CDT, Walmart Service Portal <walmartglobal@service-now.com> wrote:

Dear David Pete,

Hi David,

Thank you for contacting Walmart Global Ethics. As described, your concerns would be best reviewed and handled by the Market Manager, William Ohler, who can be reached at 409-755-0336. Please reach out to him/her. Thank you and feel free to contact us in the future regarding Walmart's Statement of Ethics, which can be found at <https://www.walmartethics.com/home.aspx>.

** Please do NOT reply to this email address **

Ref:MSG257893893

Referred Concerns - WMT200603720

From: Walmart Service Portal (walmartglobal@service-now.com)

To: dpetedavidpete@yahoo.com

Date: Tuesday, June 16, 2020, 11:03 AM CDT

Dear david pete,

David,

Thank you for contacting Walmart Ethics. Based on the information you sent, your concerns would be handled best by the Market Manager, William Ohler. Please feel free to reach out to them directly by calling the market office at 409-755-0336.

Walmart does not tolerate retaliation against someone for reporting concerns. If you believe that you experienced retaliation for reporting your ethics concern, please tell us.

Regards,
Megan
Walmart Global Ethics

** Please do NOT reply to this email address **

Ref:MSG246654393

1-800-925-6278 opt 2-2

Walmart

Rep JASMINA - contacted on
7-30-2020 11:38 am - will discuss
matter with Ethic Team
operator #65 - Expedited to

Walmart

Brandishin - Flor Mar
Moria - Map-011547
1-855-531-5531 Corp

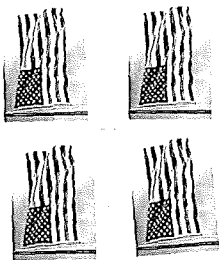
1-614-591-4438

Contact Opn on 8-10-2020

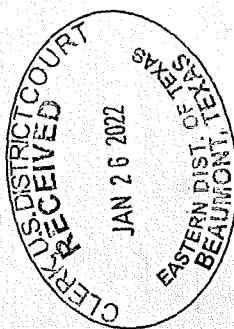
Walmart Store

#Rep - WMT-154203
Corp - 1-479-273-4000

Walmart - Terry - Supervisor
8-19-2020 9:50 AM concerning
incident on May 2, 2020



DAVID R Pete
6355 CHINN LN Apt 2105
Beaumont, TX 7708



United States District Court
Eastern District of Texas
300 Willow St Suite 104
Beaumont Texas 77701

Attn: Clerk Office